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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,165	02/27/2002	Yoshihiro Yamaguchi	450100-03797	1336
20999	7590	01/27/2005		
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			EXAMINER THAI, CUONG T	
			ART UNIT 2173	PAPER NUMBER

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/085,165	Applicant(s) YAMAGUCHI ET AL.	
	Examiner CUONG T THAI	Art Unit 2173	

-- Th MAILING DATE of this communication appears on th cover sheet with the correspond nc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) None is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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PART III. DETAILED ACTION

1. Claims 1-15 are presented for examination.
2. The drawings filed on February/27/2002 have been received and approved by the Examiner.

Specification

3. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Page 39 line 6, page 40 line 15, and page 41 line 15 are objected to because they contain an embedded hyperlink. Corrections are required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 (e) that form the basis for the rejections under this section made in this Office Action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamaguchi et al. (USPN: 6,795,097) hereinafter Yamaguchi.

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As per claims 1 (device), 14 (method), and 15 (GUI); Yamaguchi anticipated disclose an information input device as the technique of a notebook type personal computer with a jog-dial (see col. 4, lines 62-64) for, while displaying an image is taught by Yamaguchi as the technique of Smart Capture 320 of Movie Player (see Fig. 30), carrying out an input operation by a user using an input device for carrying out rotation and press operations is taught by Yamaguchi as the technique of selecting by means of rotational manipulation and pushing manipulation of the jog-dial 30 (see col. 23 line 67 to col. 24 line 2), the information input device comprising:

a first display status for displaying what processing an information processing device can currently carry out in accordance with the operation using the input device is taught by Yamaguchi as the technique of Notify jog-dial status monitor program started up in RAM that application software read from HDD an started up is compatible with jog-dial (see SP 21 in Fig. 25) ; and

a second display status for displaying a list of items which can be executed on the information processing device in accordance with the operation using the input device is taught by Yamaguchi as the technique of selector SL1 from jog-dial menu for displaying a list of items: Volume, Brightness, Contrast, and Application Selection (see Fig. 21).

These claims are therefore rejected for the reasons as set forth above.

As per claim 7, due to the similarity of the first two limitations of this claim to that of claim 1, except for the last limitation of a function execution step of executing the

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processing or item selected at the first display step or the second display step is taught by Yamaguchi as the technique of the selector SL1 moves to the "Application Selection" menu item as shown in Fig. 19 (see col. 13, lines 54-56). This claim is therefore rejected for the reasons as set forth above.

As per claim 8, due to the similarity of the first two limitations of this claim to that of claim 1, except for the last limitation of wherein the operation status in the input device is monitored and the graphical user interface corresponding to each operation is displayed onto a display unit, and information processing corresponding to said each operation is carried out is taught by Yamaguchi as the technique of an icon indicating for hierarchically structured menu items within that displayed menu that they are hierarchically structured is displayed together with the menu items on the display screen, thereby enabling the user easily to recognize at the point in time at which a menu item is displayed (see col. 2 line 67 to col. 3 line 5). This claim is therefore rejected for the reasons as set forth above.

As per claims 2 (device) and 9 (device), the limitations of wherein the first display status is a guide status for guiding the operation of an application program and the second display status is a list view status for displaying a list of application programs to be selected are taught by Yamaguchi as the techniques of guiding for notifying jog-dial status monitor program started up in RAM that application software read from HDD an started up is compatible with jog-dial (see SP 21 in Fig. 25) and of selector SL1 from

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jog-dial menu for displaying a list of items: Volume, Brightness, Contrast, and Application Selection (see Fig. 21). These claims are therefore rejected for the reasons as set forth above.

As per claims 3 (device) and 10 (device), the limitation wherein the second display status includes at least two stages of display status made up of a primary hierarchical display and a secondary hierarchical display is taught by Yamaguchi as the technique of two stages of hierarchically menu structured of SL1 and SL2 wherein when user moves to the "Application Selection" primary menu item, the secondary hierarchical menus of Word Processor, E-mail, Spreadsheet, Internet, Calculator are displayed on the display screen (see Fig. 21). These claims are therefore rejected for the reasons as set forth above.

As per claims 4 (device) and 11(device), the limitation of wherein the primary hierarchical display and the second hierarchical display can be discriminated from each other is taught by Yamaguchi as the technique of an icon indicating for hierarchically structured menu items within that displayed menu that they are hierarchically structured is displayed together with the menu items on the display screen, thereby enabling the user easily to recognize at the point in time at which a menu item is displayed (see col. 2 line 67 to col. 3 line 5). These claims are therefore rejected for the reasons as set forth above.

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As per claims 5 (device) and 12 (device), the limitation of wherein the first display status and the second display status are formed as areas which expand and contract in a direction parallel to the direction of rotation of the input device and are horizontally symmetrical are taught by Yamaguchi as the techniques of the first display of Movie Player capable of Digital Zoom and Return to Original size in the direction parallel to the direction of jog-dial 300 (see Fig. 30) and the second hierarchically menu structure display horizontally expand and contrast (see Fig. 21). These claims are therefore rejected for the reasons as set forth above.

As per claims 6 (device) and 13 (device), the limitation of wherein a wound band shaped display area of a roll-shaped image extended in a direction perpendicular to the direction of rotation of the input device in an initial state is extended in a direction parallel to the direction of rotation of the input device as a user touches the input device are taught by Yamaguchi as the technique of jog-dial 30 is configured by a rotating type encoder unit 202 as rotational manipulation means for enabling movement in the arrow c direction by means of user pushing manipulation (see col. 6, lines 15-18 and see Figs. 4-5) and wherein the jog-dial guide allows user selects any item of Return, Effects, Capture Mode, Change Application, Help, and Digital Zoom in vertical direction parallel to direction of rotation by means of rotational and pushing manipulation (see Fig. 30). These claims are therefore rejected for the reasons as set forth above.

Conclusion

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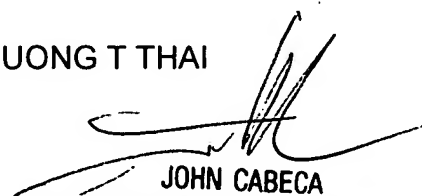
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach a technique for providing multi-hierarchical structured information on graphical based user interface which allowing user to navigating and processing based on user's desired choice.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG T THAI whose telephone number is (571) 272-4056. The examiner can normally be reached on 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CUONG T THAI


JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 21

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January 21, 2005